

BILL NO. Z-71-09- / 3

ZONING MAP ORDINANCE NO. Z- Lost

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. BB-9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. BB-9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A portion of land located on the N.E. corner of Poinsette Drive and Henry Avenue, commonly known as 2802 Poinsette Drive, and more particularly described as follows, to-wit:  
Lots numbered 70 and 71 except the North 21 feet of Lot 71 in Lincoln Park Addition to the City of Fort Wayne, Indiana. (more particularly described by Instrument # 71-10304).

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton  
Councilman

APPROVED AS TO FORM  
AND LEGALITY

[Signature]  
CITY ATTORNEY

Read the first time in full and on motion by Tipton seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 9-14-71 Thad H. Bonakom  
City Clerk

Read the third time in full and on motion by Tipton seconded by Rousseau and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES	<u>2</u>	NAYS	<u>6</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	_____	_____	_____	_____	_____	_____	_____	
Dunifon	_____	_____	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	_____	
Geake	_____	_____	_____	_____	_____	_____	_____	
Nuckols	_____	_____	_____	_____	_____	_____	_____	
<del>Robinson</del>	_____	_____	_____	_____	_____	_____	_____	
Rousseau	_____	_____	_____	_____	_____	_____	_____	
Steigerwald	_____	_____	_____	_____	_____	_____	_____	
Tipton	_____	_____	_____	_____	_____	_____	_____	

Date 12-14-71 Thad H. Bonakom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance (Resolution) No. 2 on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
City Clerk  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_M.,E.S.T.

\_\_\_\_\_  
City Clerk

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_M.,E.S.T.

\_\_\_\_\_  
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 14, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-09-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

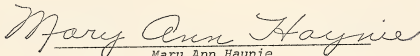
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 15, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 22, 1971.

Certified and signed this  
30th day of November 1971.

  
Mary Ann Haynie  
Secretary

Bill No. Z-71-09-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. BB-9,

*Last*

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do not PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. CEAKE

DONALD J. SCHMIDT

~~XXXXXXXXXXXX~~

*Herbert G. Tipton*  
*Jack K. Dunifon*  
*Thomas G. Adams*  
*Wm K. Cea*  
*D J Schmidt*

CONCURRED IN

DATE 12-14-71 LUAD G. BONAMON, CITY CLERK

## RECEIPT

N<sup>o</sup> 92

GENERAL FUND

FT. WAYNE, IND.,

August 20 19 71

RECEIVED FROM

David L. & Nancy Bordner \$ 50<sup>00</sup>

THE SUM OF

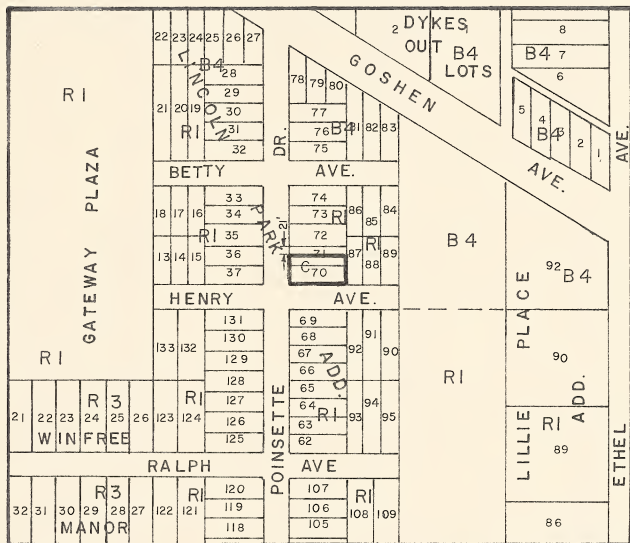
Fifty <sup>100</sup> DOLLARS

ON ACCOUNT OF

Petition to Rezone from R-1 to R3  
in Lincoln Park Addition  
(2802 Porretto Dr.)

Lillian B. Hufferman

AUTHORIZED SIGNATURE



C CHANGE FROM RI TO R3

2-71-09-13

N

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

I/We David L. Bordner and Nancy R. Bordner, husband and wife,  
Applicant's Name or Names

No. \_\_\_\_\_

DATE FILED: August 20, 1971

INTENDED USE: Private Dance Studio

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an R-1 District to a R-3 District the property described as follows:

Repair and remodel the interior of a 20' x 20.2' two-car garage into a private dance studio. Said building being now located on the rear of the premises located at 2802 Poinsett Drive, Fort Wayne, Indiana.

General Description (Prepared by Planning Staff)

Said property is legally described as follows:

Lots numbered 70 and 71 except the North 21 feet of Lot 71  
in Lincoln Park Addition to the City of Fort Wayne, Indiana. More  
particularly described by Instrument # 71-10304

Copy of survey attached. (General Description - A portion of land located on  
the N. E. corner of Poinsette Drive & Henry Avenue, commonly known as  
2802 Poinsette Drive)

Legal Description

Legal Description Checked by (City Engineer) C. Eugene Embury Jr.  
*Tom Brown*

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one percentum or more of the property described in this petition.

<u>x David L. Bordner</u> Name	<u>2802 Poinsett Dr.</u> Fort Wayne, Indiana	<u>x <i>David L. Bordner</i></u> Signature
<u>x Nancy R. Bordner</u>	<u>2802 Poinsett Dr.</u> Fort Wayne, Indiana	<u>x <i>Nancy R. Bordner</i></u>

This petition for zoning ordinance amendment prepared by:

<u>Glenn W. Bordner, Attorney</u> Name	<u>1907 Fort Wayne National Bk. Bldg.</u> <u>Fort Wayne, Indiana 46802</u> Address	<u>219/742-8268</u> Telephone Number
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City Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 423-7571

# Z. K. TAZIAN ASSOCIATES, Inc.

1108 Rivermet Avenue

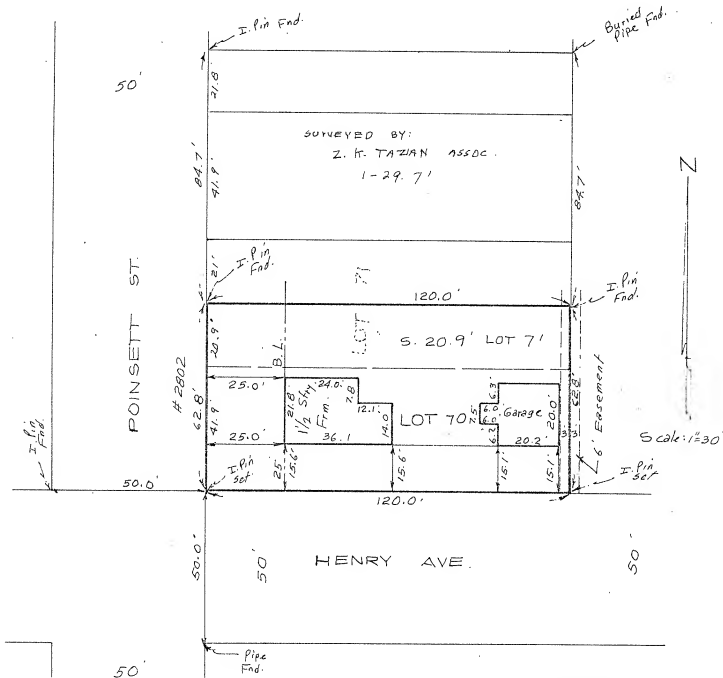
Fort Wayne, Indiana 46805

Phone: 219 743-0003

## Certificate of Survey

This document is a certificate that the undersigned Civil Engineer and Land Surveyor, Registered under the laws of Indiana, has made a survey of All of Lot #70, Lot #71 except the North 21 feet in Lincoln Park Addition to the City of Fort Wayne, Indiana.

in conformity with the records or the plat thereof on file in the Allen County Recorder's Office, Fort Wayne, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.



I hereby certify above survey to be correct.

Surveyed: 6-9-71

Surveyed for: WISLER, R

Survey No. AD-104





signatures of 23 persons

We, the following, are opposed to the change in zoning from a R-1  
to a R-3 on the following described real estate.

Lot 70 and the south 20.9 ft. of Lot 71 in Lincoln  
Park Addition located on the northeast corner of  
Poinsette Drive and Henry Avenue.

NAME

ADDRESS

Ronald L Parker

2626 Poinsette Dr

Mr. & Mrs. Robert Staff

2617 Poinsette Dr.

Mr. & Mrs. Donald Barak

2810 Poinsette Dr.

Mr. & Mrs. Van L. Hoffman ✓

2703 Poinsette Dr.

Mr. & Mrs. Wayne Schmidt

2611 Poinsette Dr.

Mr. & Mrs. Robert E. Falls ✓

2601 Poinsette Dr.

Mr. and Mrs. J. Horvath ✓

2717 Poinsette Dr.

Mr. & Mrs. Harry Brezinger

2720 Poinsette Dr. NOV-10-71

C. L. Reberstein

2615 St. Mary's NOV-10-71

Raymond J. Miller ✓

2901 Poinsette Dr. NOV-10-71

Clifton & Velma Hoiser ✓

2811 Poinsette Dr. NOV-10-71

Irwin & Luella Brockmeyer

2708 Poinsette Dr. Nov 11-71

Walter & Ella Swinchart

2819 Poinsette Dr. Nov. 11-71

(7) still opening